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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,526

08/29/2006

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5470

7590 03/24/2010
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EXAMINER

DAVIS, MARY ALICE

ART UNIT

PAPER NUMBER

3748

MAIL DATE

DELIVERY MODE

03/24/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/573,526

Examiner

MARY A. DAVIS

Applicant(s)

BEAUDOIN, NORMAND

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 15 July 2009 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Mary A Davis/
Examiner, Art Unit 3748

/Thomas E. Denion/
Supervisory Patent Examiner, Art Unit 3748

Continuation of 4(e) Other: Please amend the claim set with the following guidelines (Note: Due to the previously amended claim sets have not been entered, please start amending the claim set using the claims submitted on 4/24/06):

1. If deleting a claim limitation either cross out (i.e. put a line thru) the claim limitations and/or put in parenthesis [].
2. If adding a claim limitation, please underline the added claim limitation (bolding by itself is difficult to see, so please also underline claim limitations that are added).
3. The claim numbering must be maintained (claim 3 can not be claim 8). For Example, claim 3 can be modified as "Claim 3 (Currently Amended) A machine according to claim 2, in which a part of the ratios mechanical induction allows the realization of a positioning of the paddle part is defined in function with the compressive parts, and in which the mechanical induction part allows the control of the orientation of the paddle part is defined in function with the [g]Geometric figure."
4. Please remove (previously claim 2...). The claim history must be maintained. Once the claims are amended by underlining and/or crossing out, after the Claim number should be labeled as "(Currently Amended)".
5. New is placed after "new" claims. In the claim set filed 4/24/06, the only claim numbers that are allowed the designation of "New" is claims starting with 41 and above.
6. Once a claim is canceled, the number is no longer used during prosecution. -- Fees are based on the number of pending claims, so you can cancel claims 1-3, and write new claims 41-43, which for fee purposes has the same number of claims. If you cancel claim 1 and write a new claim 41, the claims that depended from claim 1 should be amended to depend from claim 41. Renumbering or switching the order of claims is not permitted in amendments (i.e. Previously claim 8 is not permitted during prosecution). (Note: When a case is in a condition for allowance the Patent Office will correctly order the claim set.) Note: If you remove claims, they must maintain a status of cancel, as well as, they must continue to be listed in the claim set. For example, in your current claim set, claims 36-40 are not listed, but they were already previously presented. In this case, claims 36-40 should be listed as "Claims 36-40 (Canceled)". .